

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Cooper Industries, LLC,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Civil Action 4:13-cv-00575
	§	
Continental Casualty Company,	§	
Transportation Insurance Company,	§	
and The Continental Insurance	§	
Company,	§	
	§	
Defendants.	§	

DECLARATION OF TYLER S. MERTES

I, Tyler S. Mertes, being duly sworn, depose and state as follows to the best of my information and belief:

1. I make this declaration in support of the motion for summary judgment filed by Defendants/Counter-Plaintiffs Continental Casualty Company, Transportation Insurance Company, and The Continental Insurance Company (collectively "CNA"), in the above-captioned case relating to Cooper Industries, LLC's ("Cooper") Complaint.

2. Attached hereto as **Exhibit A** are true and correct copy of a document produced by Cooper in this litigation, bates labeled COOP-ASB-0029039 to COOP-ASB-0029040.

3. Attached hereto as **Exhibit B** are true and correct copies of the

relevant portions of the deposition transcript of Cooper's Rule 30(b)(6) witness, Melinda Rich Harper.

4. Attached hereto as **Exhibit C** are true and correct copies of the relevant portions of the deposition transcript of Amy King.

5. Attached hereto as **Exhibit D** are true and correct copies of the relevant portions of the deposition transcript of Jennifer Groszek.

6. Attached hereto as **Exhibit E** is a true and correct copy of a document produced by Cooper in this litigation, bates labeled COOP-ASB-0000001.

7. Attached hereto as **Exhibit F** is a true and correct copy of a document produced by Cooper in this litigation, bates labeled COOP-ASB-0002616.

8. Attached hereto as **Exhibit G** are true and correct copy of the relevant portions of the deposition transcript of CNA's Rule 30(b)(6) witness, Daniel P. Caswell

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 2, 2014.

/s/ Tyler Mertes
Tyler S. Mertes